

EXHIBIT 13

Abbott 30(b)(6) Ellen Klaus - Vol. I
Chicago, IL

February 8, 2008

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UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

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IN RE: PHARMACEUTICAL INDUSTRY)

AVERAGE WHOLESALE PRICE)

LITIGATION,)

-----)

) 01 CV 12257-PBS

)

THIS DOCUMENT RELATES TO ALL)

) Judge Patti B.

ACTIONS:)

) Saris

) Magistrate Judge

) Marianne B. Bouler

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Deposition of ELLEN KLAUS, taken before
CHRISTINE LIUBICICH, CSR, pursuant to the provisions
of the Federal Rules of Civil Procedure of the United
States District Courts pertaining to the taking of
depositions, at 77 West Wacker Drive, Suite 3500,
Conference Room I, Chicago, Illinois, commencing at
9:27 a.m. on the 8th day of February, 2008.

Henderson Legal Services, Inc.

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1 Q. Why is it that the indirect data would be
2 at Hospira, but the direct data is at Abbott?

3 A. I have no clue.

4 Q. Okay. You just knew -- did somebody tell
5 you that you needed to get indirect data from
6 Hospira?

7 A. Well, like I said, these AWP litigations
8 have been going on for a while, so I have known
9 historically just by working on the cases that the
10 indirect data is from one source and the direct
11 data is from another source.

12 Q. When you say another source, do you mean
13 a different computer source?

14 A. No, from Barb, and Nancy, or Anna source.

15 Q. Well, when you received the United
16 States' request to produce, did you do anything to
17 ascertain whether anyone at Abbott had access to
18 the indirect data?

19 A. No, because I -- I -- I know they don't.

20 Q. Okay. So you just from your -- because
21 you knew that you just automatically went to them?

22 A. To Hospira?

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1 Q. To Hospira.

2 A. Correct.

3 Q. And when did you request the Hospira
4 data?

5 A. I don't remember.

6 Q. Do you remember how long it took to get
7 it?

8 A. I don't remember.

9 Q. Did they turn it over to you?

10 A. Um, yeah, I --

11 Q. Did you collect it?

12 A. Yeah, I probably went to pick it up.
13 That's what I normally do.

14 Q. Putting your Abbott hat back on, what has
15 Abbott done to -- let me ask you: Does Abbott have
16 any input into the confidentiality designation on
17 the documents produced to the United States?

18 MR. WINCHESTER: Objection. Scope. Form.

19 THE WITNESS: I'm not sure I know I can answer
20 that either way. I don't know.

21 BY MS. ST. PETER-GRIFFITH:

22 Q. Do you know what I mean by

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1 confidentiality designations?

2 A. Confidential document?

3 Q. Well --

4 A. Or privileged document?

5 Q. Well, do you understand -- we'll get to
6 privilege in a second -- do you understand that
7 some document, actually the vast majority of
8 documents that have been produced in this case by
9 Abbott have been produced with a stamp that says
10 either confidential or highly confidential?

11 A. Yes.

12 Q. What was your -- what is Abbott's
13 understanding as to why a document produced to by
14 Abbott to the United States is designated as highly
15 confidential?

16 MR. WINCHESTER: Objection. Outside the
17 scope. Calls for a legal conclusion.

18 THE WITNESS: I'm not sure. I can't answer
19 that either way.

20 BY MS. ST. PETER-GRIFFITH:

21 Q. Did Abbott have any participation at all
22 in identifying whether or not a document that was

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1 stamped confidential or highly confidential was
2 truly a confidential or highly confidential
3 document?

4 MR. WINCHESTER: Objection. Outside the
5 scope. Argumentative.

6 THE WITNESS: I can't answer that either way.
7 BY MS. ST. PETER-GRIFFITH:

8 Q. Well, did anyone at Abbott review the
9 documents to determine whether or not the
10 confidential or highly confidential designation on
11 those documents was accurate?

12 MR. WINCHESTER: Objection. Outside the
13 scope.

14 THE WITNESS: I can't answer that either way.
15 BY MS. ST. PETER-GRIFFITH:

16 Q. Well, were you aware of anybody doing
17 that at Abbott?

18 A. I don't know one way or the other.

19 Q. Who within Abbott would be responsible
20 for verifying the confidential or highly
21 confidential designations?

22 MR. WINCHESTER: Objection. Outside the

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1 scope.

2 THE WITNESS: I -- I don't know.

3 BY MS. ST. PETER-GRIFFITH:

4 Q. Would anybody?

5 MR. WINCHESTER: Same objection.

6 THE WITNESS: I just don't know either way.

7 BY MS. ST. PETER-GRIFFITH:

8 Q. What due diligence has Abbott done to
9 verify the burdensomeness objections asserted by
10 Abbott -- asserted by Abbott's counsel on its
11 behalf in this case?

12 MR. WINCHESTER: Objection. Outside the
13 scope.

14 THE WITNESS: I don't know that I can answer
15 that either way. I'm --

16 BY MS. ST. PETER-GRIFFITH:

17 Q. Well, has Abbott done anything to
18 determine whether or not any of the individual
19 requests for production are overly burdensome?

20 MR. WINCHESTER: Objection. Outside the
21 scope. Calls for a legal conclusion.

22 THE WITNESS: I can't answer that either way.